

REMARKS

Claims 1 through 37 are pending in the case.

Examiner has rejected claims 1, 2, 5, 8 through 11, 13, 18 through 20, 25 through 27, 29, 32, 33 and 37 under 35 U.S.C. § 103 (a) as being unpatentable over US 2003/0048484 (Seki) and further in view of US 2003/0203744 (Otsuka).

Examiner has rejected claims 14, 22 and 35 under 35 U.S.C. § 102(e) as being anticipated by Otsuka.

Applicant is enclosing herewith a Declaration under Rule § 1.131 to overcome the rejections.


Applicant notes that Seki was filed on September 11, 2002 and Otsuka was filed on April 25, 2003. The Declaration under Rule § 1.131 shows conception of the present invention before September 11, 2002. The present case was filed on July 3, 2003. Applicant notes that the preparation of a patent application was diligently performed during this interval.

Conclusion

Applicant believes the present case is in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

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